

Panaji, 22nd April, 1982 (Vaisaka 2, 1904)

SERIES II No. 4



OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 31/7/78-PER

The Administrator of Goa, Daman and Diu is pleased to promote Shri D. T. Barde, Grade II officer of Goa, Daman and Diu Police Service to Grade I (Selection Grade) post of the said service w.e.f. 26-9-1981.

2. This issues with the approval of the Union Public Service Commission.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel),

Panaji, 14th April, 1982.

Home Department (General)

Order

No. 13/1/80-HD(G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (No. 65 of 1980), the Administrator of Goa, Daman and Diu being satisfied having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, Goa that it is necessary so to do hereby directs that the said District Magistrate may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limits of his jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 12th April, 1982.

Order

No. 13/1/80-HD(G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (No. 65 of 1980), the Administrator of Goa, Daman and Diu being satisfied having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, Daman that it is necessary so to do hereby directs that the said District Magistrate may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the

said sub-section within the local limits of his jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 12th April, 1982.

Order

No. 13/1/80-HD(G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (No. 65 of 1980), the Administrator of Goa, Daman and Diu being satisfied having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, Diu that it is necessary so to do hereby directs that the said District Magistrate may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limits of his jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Administrator of Goa, Daman & Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 12th April, 1982.

Notification

No. T/11-MISC/79/HD(G)

In exercise of the powers conferred by sub-section (2) of section 11 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (8 of 1974) read with clause (vi) of sub-rule (1) of rule 22 of the Goa, Daman and Diu Motor Vehicles Tax Rules, 1974, the Government of Goa, Daman and Diu hereby exempts totally the transport vehicles registered in the State of Karnataka and plying regularly on inter-State routes between the Union territory of Goa, Daman and Diu and the State of Karnataka under the reciprocal arrangement entered into between the President of India and the Governor of Karnataka from the payment of the tax in the Union territory of Goa, Daman and Diu under the said Act from the date of the said reciprocal arrangement has been entered into provided that the tax for the period has been paid in the State of Karnataka by the said vehicles.

Explanation. — For the purpose of this notification, stage carriages plying under temporary permits issued under clause (d) of sub-section (1) of section 62 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) on such inter-State routes shall be deemed to be plying regularly.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. M. Naik, Under Secretary to the Govt. of Goa, Daman and Diu, Home Department.

Panaji, 15th April, 1982.

Works, Education and Tourism Department

Corrigendum

No. 13/4/81-WET

In Government order of even number dated 12-2-82 for the words "on an initial pay of Rs. 700/- p. m." the words "on an initial pay to be fixed as per rules", shall be substituted.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. D. Vengurlekar, Planning Officer.

Panaji, 6th April, 1982.

Local Administration and Welfare Department

Addendum

No. 11-7-79-Coop-LAWD/275

In the order of even number dated 18th March, 1982 deputing Shri G. S. Patil as principal of Cooperative Training Centre, Panaji the following para is added:

"Shri S. V. Bhadri, Assistant Registrar of Cooperative Societies (Head Quarters) will hold additional charge of Assistant Registrar of Cooperative Societies, until further orders and shall relieve Shri G. S. Patil immediately".

By order and in the name of the Administrator of Goa, Daman and Diu.

Alexandre Pereira, Under Secretary (Revenue).

Panaji, 13th April, 1982.

Office of the Registrar of Cooperative Societies

Order

No. 48/1/81/TS

Read: Letter dated 15-2-1982 from Shri Ashraf Aga, Advocate, High Court, Mamai Kamat Building, Near Secretariat, Panaji — Goa.

By virtue of the powers delegated to me, vide Government Order No. CDB/Coop/1198/68-71 dated 20-5-1971, under Sub-section (3) of Section 91 of the Maharashtra Coop. Societies Act, 1960, as applied to the Union Territory of Goa, Daman and Diu read with Rule 73 of the Coop. Societies Rules, 1962, I, J. X. Walke, Deputy Registrar of Coop. Societies, Goa, Daman and Diu, Panaji am pleased to appoint Shri Ashraf Aga, Advocate, Panaji to perform the duties of Registrar's Nominee for deciding the disputes arising in any of the Cooperative Societies functioning in the jurisdiction of the Asstt. Registrar of Coop. Societies, Central Zone, Panaji, with immediate effect for an initial period of one year.

J. X. Walke, Dy. Registrar of Coop. Societies, Goa, Daman and Diu.

Panaji, 15th April, 1982.

Order

No. 48/1/81/TS

Read: This Office Order No. ADM/ABN/R's Nominee/Vol. II/77-78 dated 26-5-1978, appointing Shri M. S. Borkar, as the Registrar's Nominee.

The appointment of Shri M. S. Borkar as the Registrar's Nominee for deciding the disputes arising in any of the Cooperative Societies in Goa, made under the order referred to above hereby stands cancelled with immediate effect.

J. X. Walke, Dy. Registrar of Coop. Societies, Goa, Daman and Diu.

Panaji, 15th April, 1982.

Revenue Department

Notification

No. 22/162/80-RD

Whereas by Government Notification No. 22/162/80-RD dated 24-9-1981 published on page 276 of Series II, No. 28 of Official Gazette dated 12-10-81 it was notified under section 6 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the land specified in the schedule appended to the said notification (hereinafter referred to as the "said land") was needed for public purpose viz. Construction of Government Primary School Building at Veling, Ponda.

And whereas in the opinion of the appropriate Government (hereinafter referred to as the "Government") the said land, is not required for the aforesaid purpose.

Now, therefore the Government is pleased to declare under sub-section (1) of section 48 of the said Act that it has withdrawn from acquisition the said land for the aforesaid public purpose and that the aforesaid Government notification stands hereby cancelled. The persons interested in the said land, may lodge with the Dy. Collector, Goa South Margao within a period of thirty days from the date of this Notification, claim under sub-section (2) of section 48 of the said Act, for the damages suffered by them in consequence of the notice or of any proceedings thereunder and for costs reasonable incurred by them in prosecution of the proceedings, under the said Act relating to the said land.

A plan of the land, shall be available for inspection, in the office of the Deputy Collector, South Goa, Margao for a period of thirty days from the date of this notification.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 14th April, 1982.

Notification

No. RD/LQN/229/73

Whereas by Government Notification No. RD/LQN/229/73 dated 6-12-76 published on page 302-303 of Series II, No. 33 of Official Gazette dated 16-12-76 it was notified under section 6 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the land specified in the schedule appended to the said notification (hereinafter referred to as the "said land") was needed for public purpose viz. National Institute of Oceanography.

And whereas in the opinion of the appropriate Government (hereinafter referred to as the "Government") the said land, is not required for the aforesaid purpose.

Now, therefore, the Government is pleased to declare under sub-section (1) of section 48 of the said Act that it has withdrawn from acquisition the said land for the aforesaid public purpose and that the aforesaid Government notification stands hereby cancelled. The persons interested in the said land, may lodge with the Land Acquisition Officer, Panaji within a period of thirty days from the date of this Notification, claim under sub-section (2) of section 48 of the said Act for the damages suffered by them in consequence of the notice or of any proceedings thereunder and for costs reasonable incurred by them in persecution of the proceedings, under the said Act relating to the said land.

A plan of the land, shall be available for inspection in the office of the Land Acquisition Officer, Panaji for a period of thirty days from the date of this Notification.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 12th April, 1982.

Notification
No. 22/18/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. For construction of access to the existing Village Panchayat Building at Calangute.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act, will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector (Land Acquisition Officer), Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector (Land Acquisition Officer), Panaji.
3. The Block Development Officer, Bardez-Mapusa.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector (Land Acquisition Officer), Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Plot No. | Survey No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---------|--------|--------------|----------|-----------------|--|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Bardez | Calangute | — | 479/4 | Dr. Francisco Leao Pinto. | |
| | | | | 479/5 (Part) | Dr. Francisco Leao Pinto. Boundaries: North: Survey No. 479/1 & 2. South: Survey No. 479/5. East: Survey No. 479/6. West: Road. | 60.00 640.00 |
| | | | | | Total | 700.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 3rd April, 1982.

Notification
No. 22/22/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz for construction of Police Out post Complex at St. Cruz.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector, Goa North Division, Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector, Goa North Division, Panaji.
3. The Inspector General of Police, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector, Goa North Division, Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Plot No. | Survey No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---------|---------|--------------|----------|------------|---|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Tiswadi | Calapur | | 3/2 | 1. Ghanasham B. N. Vaigankar. 2. Joao Manuel Dias. | 1393.00 |
| | | | | 3/3 | 3. Joao Manuel Dias. | 175.00 |
| | | | | 3/4 | 1. Joao Manuel Dias. | 312.00 |
| | | | | | <i>Boundaries:</i> North: Survey No. 3/1 & Survey No. 601/1. South: Road and Survey No. 3/5. East: Survey No. 601/1 and Survey No. 3/5 West: Survey No. 3/1 & road. | |
| | | | | | Total | 1880-00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 13th April, 1982.

Notification

No. 22/78/81-RD

Whereas by Government Notification No. 22/78/81-RD dated 27-6-81 published on page 160 of Series II, No. 15 of the Official Gazette, dated 9-7-81 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. for Construction of 'A' type Quarters for R. W. S. Scheme to Quepem town and Sirvoi Village.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the

schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, PWD, Cell, Altinho-Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Land Acquisition Officer, PWD, Cell, Altinho-Panaji, till the award is made under Section 11.

SCHEDULE
(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Survey No. | Sub-Div. No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---------|--------|--------------|------------|--------------|---|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Quepem | Sirvoi | 4 | 19 (Part) | 1. Shri Ushno V. Kuncolienkar. 2. Shri Vidyadhar Kuncolienkar. | 296.00 |
| | | | | | <i>Boundaries:</i> North: Survey No. 4/19 & area acquired by P.W.D. South: Survey No. 4/19. East: Road and area acquired by P.W.D. West: Survey No. 4/19. | |
| | | | | | Total | 296.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 13th April, 1982.

Notification

No. 22/132/81-RD

Whereas by Government Notification No. 22/132/81-RD dated 29-9-81 published on page 291 of Series II, No. 29 of the Official Gazette, dated 15-10-81 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the

public purpose viz. raising cashew Plantation at Adnem, Quepem.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Deputy Collector (Land Acquisition Officer), Panaji, to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7

of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Deputy Collector, Land Acquisition Officer, Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Survey No. | Sub-Div. No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---------|--------|--------------|------------|--------------|---|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | Quepem | Adnem | 9/Part | — | Comunidade of Adnem. | 1,53,400.00 |
| | | | | | <i>Boundaries:</i> | |
| | | | | | North: Village boundary of Ambelim. South: Survey No. 8/1, 2, 3. East: Survey No 12, 13, 11, 10, 14 & S. No. 9 Part. West: Village boundary of Balli. | |
| | | | | | | Total 1,53,400.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 14th April, 1982.

Corrigendum

No. 22/77/81-RD

In Government Notification No. 22/77/81-RD dated 30-11-1981 published in the Official Gazette dated 17-12-1981 Series II No 38 page 406 the survey number appearing in column No. 5 of the schedule appended to the said notification after sub-division No. 16 (part) sub-division No. 17 (part) shall be added.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 12th April, 1982.

Office of the Collector of Goa

Order

No. 3/10/81-CAB(Bye-law)13

The Lt. Governor, Goa, Daman & Diu, under the powers vested by Art. 18 of the Devasthan Regulations is pleased to appoint the below named persons on the special Committee to frame the draft bye-laws of Devasthan of Shri Vassudev Devki Krishna Pisso Ravalnath, Chorao, in Tiswadi Taluka.

Effective members:

- President — Shri Pandurang Bable Hoble.
- Treasurer — Shri Narayan Krishna Parsekar.
- Attorney — Shri Shamsundar Sada Kandolkar.
- Clerk — Shri Dayaneshwär Krishna Kandolkar.

Substitute members:

- President — Shri Rohidas Manguesh Chodankar.
- Treasurer — Shri Saulo Anant Chodankar.
- Attorney — Shri Babaji Ganpat Govenkar.
- Clerk — Shri Narayan Krishna Sawant.

The above Committee shall submit the draft bye-laws to the Government within a period of six months from the date of publication of this order in the Official Gazette. The procedure laid down in the Articles 17 and 18 of the Devasthan Regulations as amended by the Legislative Diploma No. 1899 dated 29-5-1959 and the Government directions contained in Revenue Département's letter No. RD/END/116-71, dated 27-7-71 are to be followed to frame draft bye-laws.

The above Committee is also entrusted with the management of the Devasthan until the bye-laws are approved and published.

For the Collector/DCA Lucas Francis Botelho.

Panaji, 3rd April, 1982.

Public Health Department

Order

No. 5/97/79-PHD-P.H.Dentist

In partial modification of Government Order of even number dated 17th February, 1982 Dr. Sadanand B. Pai is hereby posted at Primary Health Centre, Cansaulim instead of Primary Health Centre, Daman as Public Health Dentist on ad-hoc basis.

Dr. Sadanand Pai should report to the place of posting immediately.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. S. Sail, Under Secretary (Health).

Panaji, 17th April, 1982.

Order

No. 5/97/79-PHD/MOS

On the recommendation of the Local Selection Committee Dr. Chudasama Ramjibhai J. is appointed on ad-hoc basis to the post of Medical Officer under the Directorate of Health Services, Panaji and posted at Primary Health Centre, Diu against the post newly created vide Government Order No. 1/17/81-PHD, dated 7-10-81 with immediate effect on the terms and conditions contained in Government Memorandum of even number dated 27-2-1982. Dr. Chudasama Ramjibhai J. should report to his place of posting immediately.

The appointment is however, subject to the verification of character and antecedents.

The Officer has already been medically examined and found fit by the Medical Board, Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. S. Sail, Under Secretary (Health).

Panaji, 14th April, 1982.

Order

No. 5/97/79-PHD-MOS

On the recommendation of the Local Selection Committee the following doctors are appointed on ad-hoc basis to the post of Medical Officers/Rural Medical Officers under the Directorate of Health Services, Panaji and posted against the places shown against their names with immediate effect on the terms and conditions contained in Government Memorandum of even number dated 27-2-1982. The doctors should report to their place of postings immediately.

The appointments are however, subject to the verification of character and antecedents.

The doctors have already been medically examined and found fit by the Medical Board, Panaji.

| Sr. No. | Name of the doctor | Designation & place of posting |
|---------|---------------------------------|---|
| 1. | Dr. S. V. Narvekar | Rural Medical Officer, Rural Medical Dispensary, Volvai against the vacant post created vide Govt. Order No. DF-289-FY-63/ /13874 dated 24-6-63. |
| 2. | Dr. S. Y. Govenkar | Medical Officer, Asilo Hospital, Mapusa against Dr. Anil Sardesai who has tendered his resignation which is under scrutiny. |
| 3. | Dr. (Miss) Herlia Furtado | Lady Medical Officer, Maternity Home Siroda against the post of Dr. Smt. Shashi Parkar, transferred vide Govt. Order No. 6-1-81-PHD dated 24-11-1981. |
| 4. | Dr. Simon Braganza Menezes | Medical Officer, Hospicio Hospital, Margao, against the vacant post created vide order PHD/38(4)/ /78-creation/4902-Hosp-dt. 24-11-78. |
| 5. | Dr. Pradeep T. Dhavjekar | Medical Officer, Primary Health Centre, Satari (Valpoi) against the post of Dr. P. Padwal, M. O. transferred vide Govt. Order No. 6-1-81-PHD dated 24-11-81. |
| 6. | Dr. Laxmikant Naik | Rural Medical Officer, Rural Medical Dispensary Usgao against the post of Dr. V. Devari transferred vide Govt. order No. 6-1-81-PHD dated 24-11-1981. |
| 7. | Dr. Blasio Figueira | Medical Officer, Primary Health Centre, Candolim against the vacant post of Dr. Aurobindo Fernandes whose resignation is under scrutiny. |
| 8. | Dr. Raikar P. N. | Rural Medical Officer, Rural Medical Dispensary, Vanakbara Diu against the vacant post of Dr. (Mrs.) Bharati Vijayan, transferred vide Govt. Order No. PHD/88(1)/78/TR/DHS dated 27-6-80. |
| 9. | Dr. Nishikumar Naik | Medical Officer, Primary Health Centre, Diu against the vacant post created vide order No. GOA/PH/131 dated 2-11-62. |
| 10. | Dr. Custodio Mariano Vaz Falcao | Rural Medical Officer, Rural Medical Dispensary Rivona, against the vacant post created vide Govt. Order No. DF/289-FY-63/ /13874 dated 24-6-63. |
| 11. | Suresh Mahale | Rural Medical Officer, Rural Medical Dispensary Dabal, against the vacant post of Dr. Umakant Singbal transferred vide Govt. Order No. 6-1-81-PHD dated 24-11-81. |

The Director of Health Services will make immediate arrangements to relieve all the transferred officers so as to enable them to take charge of their new postings.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. S. Sait, Under Secretary (Health).

Panaji, 12th April, 1982.

Industries and Labour Department

Order

No. 23/11/82-ILD

On the recommendation of the Departmental Promotion Committee Shri A. S. Banastarkar, Surveyor, is hereby promoted on purely ad-hoc basis for a period of six months to the post of Assistant Apprenticeship Advisor in the pay scale of Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200 created vide order No. 1/2422/76-LAB(AP)1182 dated 30-7-76, and posted in the Office of Commissioner Labour and Employment Panaji w. e. f. the date of taking over the charge.

The above promotion will not bestow on the Officer any claim for regular appointment and the service rendered by him on ad-hoc basis in the grade will not count for the purpose of seniority in the grade and for eligibility for promotion to the next higher grade.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 17th April, 1982.

Order

No. 28/2/79-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 9th March, 1982.

IN THE LABOUR COURT GOA, DAMAN & DIU, PANAJI-GOA

(Before Dr. Renato de Noronha, Presiding Officer)

Reference No. LCC/45/80

1. Shri Anthony Fernandes ... Applicant
V/s.

1. M/s. Pandurang Timblo ... Opponent
Panaji, Dated: 3-3-1982.

Applicant represented by Shri N. G. Rebello, General Secretary Newspaper and Press Employees Union.

AWARD

This is an application under Section 33C(2) of the Industrial Disputes Act 1947, hereinafter briefly called the Act, filed by the above applicant against the above opponent, claiming from the latter the sum of Rs. 1095-15 as difference of wages from 20-5-78 to 31-8-79, at the rate of Rs. 70/- per month.

2. It is applicant's case that he has worked as Journalist in West Coast Times, Timblo Publications Private Limited, Margao from 20-5-78, to 31-8-79, and was paid at the rate of Rs. 350/- per month, when his salary, as per the Wage Board Recommendations, which are statutory, was Rs. 420/- per month, all inclusive. Thus, he is entitled to claim the difference i.e. Rs. 70/- per month, which now he is claiming by way of this application.

3. The opponent, in reply, have stated that they have fully settled the applicants account and the applicant has certified in the receipt issued that he does not have claim of whatsoever nature against the Company and, as such, the case may be closed.

4. In view of this reply, the Management of the opponents was directed to produce the receipt and, at the same time, the applicant's say was sought on the reply filed by the

opponent. In his say, the applicant has not denied having issued the receipt, as stated by the opponent in their reply, but insisted that the opponent have not paid him as per the Wage Board Recommendation and, therefore, he is entitled to get the difference.

5. The following issues were framed by the Court:

"1. Whether the Applicant proves that he is entitled to the amount claimed in his Application?

2. Whether the Opponents prove that they have fully settled the Applicant's account and that the latter has certified in the receipt issued that he does not have claim of whatsoever nature against the opponent Company?

3. Whether the Applicant proves that the alleged Certificate as issued by the Applicant, even if proved, would not prevent him from claiming the amounts due?

4. What relief?"

6. The opponent chose to remain absent and did not lead any evidence, whilst the applicant got himself examined in open Court to prove the facts stated in his application.

7. Since the applicant has not denied having issued the receipt as stated by the opponent in their reply, this fact is to be deemed as proved, though the opponent have failed to produce the original receipt. Hence, issue No. 2 becomes superfluous.

8. Now, the point for our consideration is as to whether, after having issued such receipt to the opponent, the applicant is estopped from claiming any amount on this account from the opponent.

In this connection, in the "The Law of Industrial Disputes" 3rd Edition Volume 1, page 1531 by O. P. Malhotra and H. L. Malhotra, it is written as follows:

"**Estoppel and waiver**—The technicalities of the procedural law i. e. Code of Civil Procedure or the Evidence Act do not apply to industrial adjudication. But fundamental principles of procedural law, cannot be given a go-by whether called the rules of natural justice or by any other name. For instance, even if some workmen accept certain amount "in full and final settlement of their account", they cannot be estopped from further claiming their legitimate dues nor can there be waiver in this respect of the rights accruing to them under the industrial law. The principle of estoppel or waiver cannot be rigorously applied against the workmen especially when it is not clear that they accept compensation given by the management in full satisfaction of their claim after having been made aware that they were entitled to higher compensation."

9. As the applicant, in his statement before the Court, has stated that, at the time of his appointment, he was told by the opponent that he would be paid as per the Wage Board Recommendation and, further, after he received his pay, he made inquiries as to how much would be his pay as per the said Wage Board Recommendation and came to know that the pay for his post was Rs. 420/- per month all inclusive, it follows that the applicant, who is a journalist, was fully aware, while issuing the said receipt, that he was entitled to a higher salary than the one which was actually paid to him. If, inspite of this, he issued the receipt in question, he is now estopped from claiming any further amount on account of salary for the said period.

10. I, therefore, pass the following order:

ORDER

This application is dismissed. In the circumstances of the case, each party to bear its own costs.

Dr. Renato de Noronha

Presiding Officer,
Labour Court.

Order

No. 28/2/79-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under

the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 9th March, 1982.

IN THE LABOUR COURT GOA, DAMAN AND DIU PANAJI GOA

(Before Dr. Renato de Noronha, Presiding Officer)

Reference No. LCC/20/81

1. Shri Enio Pimenta ... Applicant
V/s.

1. The Management of St. Xavier's Institute ... Opponent
Panaji, Dated: 1-3-1982.

ORDER

The above applicant has filed this application under Section 33C(2) of the Industrial Disputes Act, 1947, hereinafter briefly called the Act, claiming from the opponent the moneys/benefits detailed in the annexure, accrued and accruable till the time of settlement, amounting to over Rs. 30,000/-.

2. Applicant's case is that he is a teacher of the opponent's Institute, conducted by a registered society "Currorim Education and Welfare Foundation" of Currorim, Goa and, as such, he is entitled to receive from the opponent his unpaid salary for 3 years from June, 1978, to June, 1981, at the average rate of Rs. 800/- per month, amounting to Rs. 28,000/- plus increase in dearness allowance etc. totalling over Rs. 30,000/- of now and additional as accruable till final settlement. Besides, he has claimed also his Provident Fund, Gratuity, etc., etc. The claim, according to the applicant, is based on the violation by the opponent of the rules 65, 66 and 74 of the Grant-in-aid-Code and Section 25(F), read with Section 33C(2) of the Act, and other enactments and circulars.

3. The opponent, in their written statement, have stated that the applicant, an ex-teacher of the opponent, was appointed w.e.f. 11-6-1973 as an Asstt. Teacher on probation in the scale of Rs. 220-10-280-EB-15-400, which pertains to the category of untrained graduates. He was appointed on probation under rule 25(i) and (IV) of Grant-in-aid-Code, hereinafter called the Code; that, under Rule 56, untrained teachers have to get themselves professionally qualified within a period of 5 years; that the applicant, inspite of the facility given by the opponent to join B.Ed. course at Nirmala Institute, failed to join the said course and get the required qualification and, therefore, in keeping with the above rules, was served with notice on 20/21-3-1978; that, even on the verge of completion of 5 years, the opponent gave him the facility to get himself trained or secure extension from the Department of Education, which he did not avail of. The notice was served in accordance with rules 56, 55(iv) and 74(1) of the Code and the applicant was paid full salary till the last date of vacation, i.e. 4-6-1978 under rule 66 of the Code; that, with effect from 5-6-1978, the applicant is not a member of the staff and holds no post in the opponent's institution and, therefore, he is not entitled to claim the benefits, as claimed by him.

4. In his rejoinder, the applicant challenges the validity of the termination of his services by the opponent, stating that it is null and void and insists that he continues as a member of the staff. He also refutes the various contentions of the opponent in their written statement.

5. After the objection raised by the applicant regarding proper representation of the opponent was decided by my order dated 14-12-1981, a preliminary issue was framed by the Court and both the parties heard on it. The Preliminary issue reads as follows:

"Whether the applicant proves that his application is maintainable?"

6. In his oral arguments, the applicant contends that since the opponent has not raised any objection regarding the

maintainability of the application, the Court cannot, on its own, frame any issue on this point. Secondly, the Court has already admitted the application, proceeded with it and even passed an order rejecting the objection raised by the applicant regarding the proper representation of the opponent. This order would constitute *rejudicata* in the proceedings, preventing the court from raising the same point again. Finally, the applicant argues that Section 6(e) of the General Clauses Act, 1897, would also support his contention.

7. None of the above objections hold good. The Preliminary issue framed by the Court goes to the very root of the jurisdiction of the court and it is well settled that the court, can, on its own, frame such issue at any stage of the proceedings. The mere fact that the application was initially admitted and registered in the registers of the Labour Court and proceeded with till now would not prevent the court from raising the issue at any stage, in respect of the maintainability of the application. The order referred to by the applicant does not constitute any *rejudicata*, so far the issue framed by the Court is concerned, because, in that order, the point now in question was not in issue and, as such, the court has not dealt with it at all. Finally, regarding Section 6(e) of the General Clauses Act 1897, I fail to understand as to how this provision comes into picture in our case. Section 6 deals with effect of repeal i.e. when the existing law is repealed by a fresh law, whether the fresh law can affect the facts done under the repealed law and, if so, to what extent.

8. Since the objections raised by the applicant which, otherwise, are not on the merits of the issue, but only on its maintainability have been all rejected as unsustainable, let us see now whether the Labour Court is competent to deal with the application filed by the applicant, which is subject matter of these proceedings.

9. I should say that my answer is in the negative and for the following reasons:

In his application as well as in the rejoinder filed, the applicant has challenged the validity of the order passed by the opponent terminating his services and claimed inter-alia his reinstatement with full back wages (vide para 2 of his rejoinder).

10. This application has been filed under Section 33C(2) of the Act and it is well settled that such application is maintainable only when it is based on an existing right. If the right itself is in dispute, as in the instant case, then the Labour Court cannot, under this provision, adjudicate upon that right.

11. The Kerala High Court ruling in the case of Phoenix Plywood, Kotayam V/s. Industrial Tribunal, Alleppey and others (LIC 1979 Vol. I page 422) and the Bombay High Court Ruling in the case of General Manager and Central Railway V/s. Jakao Vithal and another (LIC 1976 page 1468) would confirm the above view taken by him regarding the jurisdiction of the Labour Court while dealing with an application filed under Section 33C(2) of the Act.

In the Kerala High Court Ruling, it was held that "The workmen can proceed under Section 33C(2) only after the Tribunal has adjudicated on a complaint under Section 33A or on a reference under Section 10 that the order of discharge or dismissal passed by the employer was not justified and has set aside that order and reinstated the workmen".

In the Bombay High Court Ruling it was held:

"If there is no existing right to the money or benefit or such right has to be adjudicated upon, then the Labour Court has no power under this Section to proceed further or adjudicate upon that right. Thus where right of the employee to receive wages, allowances and other benefits from the date of his compulsory retirement depended upon the disputed question whether the order of compulsory retirement passed against the employee is valid or not, the claim to the money or benefit could not be said to be based on an existing right and the matter required an adjudication of the right itself, which question on the plain language of Section 33C(2) is outside the purview of that Section.

12. In view of the above, I hold that this court has no jurisdiction to entertain the applicant's application challenging his dismissal order and claiming, at the same time,

his wages, since such claim is not based on an existing right. The application is, therefore, dismissed and the applicant is directed to pay Rs. 100/- as costs to the opponent.

Dr. Renato de Noronha
Presiding Officer,
Labour Court.

Notification

No. 5/51/81-ILD

The following Orders received from the Government of India, Ministry of Steel, Mines & Coal (Department of Mines) Nagpur, are hereby republished for general information of the public.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 23rd February, 1982.

GOVERNMENT OF INDIA

MINISTRY OF STEEL AND MINES

(Department of Mines)

THE CONTROLLER OF MINING LEASES FOR INDIA

Case No. Z-639

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 11-8-1958 for Iron ore held by Smt. Sunanda D. Bandodkar, Administrator of D. B. Bandodkar (HUF), Altinho, Panaji (Goa) for unlimited period, area 90.7155 Hectares in Village Mulgao of Bicholim Taluka Goa of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:—The period of the lease shall be 30 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 30th June, 1981.

Case No. Z-638

Order

*(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)*

Whereas a case was registered for the modification of terms of a mining lease dated 11-8-1958 for Iron & Manganese ore held by Smt. Sunanda D. Bandodkar, Administrator of D. B. Bandodkar (HUF), Altinho, Panaji (Goa) for unlimited period, area 94.0770 Hectares in Village Boma of Ponda Taluka Goa of Union Territory of Goa, Daman & Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:—The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines & Minerals (Regulation & Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines & Minerals (Regulation & Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman & Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 30th June, 1981.

Case No. Z-752

Order

*(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)*

Whereas a case was registered for the modification of terms of a mining lease dated 28-9-1959 for Manganese ore held by Shri Sharadchandra Janardana Zarapcar, Mine Owner, Mapusa (Goa) for unlimited period, area 51.7675 Hectares in Villages Melauli e Aglote of Satari and Sanguem Taluka (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:—The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 10th August, 1981.

Case No. Z-224

Order

*(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)*

Whereas a case was registered for the modification of terms of a mining lease dated 22-8-1952 for Iron & Manganese ore held by M/s Sociedade Verencar e Companhia Limitada, Mine Owners, Surla, Bicholim (Goa) for unlimited period, area 100 Hectares in Village Surla Taluka Bicholim (Goa) of Union Territory of Goa, Daman & Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:—The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 26th August, 1981.

Case No. Z-281

Order

*(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)*

Whereas a case was registered for the modification of terms of a mining lease dated 24-4-1953 for Iron and Manganese ore held by Shri Shantaram Narayan Zantye, Mine Owner, Rua Agnelo de-Fe, Altinho, Panaji (Goa) for unli-

united period, area 72.0000 Hectares in Village Sarvona of Taluka Bicholim (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 27th August, 1981.

Case No. Z-258

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 16-4-1955 for Iron and Manganese ore held by Shri Diogo Joao Sequeira, Mine Owner, Mapusa, Bardez (Goa) for unlimited period, area 97.8000 Hectares in Villages Govanem and Malpona, Taluka Satari of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 28th August, 1981.

Case No. Z-258

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 6-2-1953 for Iron & Manganese ore held by Shri Aleixo Manuel do Carmo Pereira da Costa, Mine Owner, Curtorim, Salcete (Goa) for unlimited period, area 96.0900 Hectares in Villages Tudou and Patiem of Sanguem Taluka (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:— The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 28th August, 1981.

Case No. Z-506

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 11-4-1956 for Iron and Manganese ore held by Shri Krishna Wamona Kenny, Panaji (Goa) for unlimited period, area 77.2500 Hectares in Villages Gauntona & Vazolitacho Gundo of Advoi of Taluka Satari (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:—The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines and Minerals (Regulation and Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India.

Nagpur:

Dated the 12th October, 1981.

Case No. Z-564

Order

(Under Rule 6 of the Mining Leases
(Modification of Terms) Rules, 1956)

Whereas a case was registered for the modification of terms of a mining lease dated 20-5-1957 for Iron and Manganese Ore held by Shri Krishna Wamona Kenny, Panaji-Goa for unlimited period, area 27.8710 Hectares in Village Naroa of Taluka Bicholim (Goa) of Union Territory of Goa, Daman and Diu.

And Whereas an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:—

(i) Period:—The period of the lease shall be 20 years counting from 1-10-1963.

(ii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof:—

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines & Minerals (Regulation & Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines & Minerals (Regulation & Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa, Daman and Diu and copies thereof be sent to the lessee and the State Government.

Sd/-

(H. N. WANARE)

Controller of Mining Leases for India

Nagpur:

Dated the 12th October, 1981.

GOVERNMENT OF INDIA

MINISTRY OF SHIPPING AND TRANSPORT

(Ports Wing)

New Delhi, the 15 February, 1982.

Notification

G.S.R.—In pursuance of sub-clause (i) of clause (c) of sub-section (1) of section 3 of the Major Port Trusts Act, 1963 (38 of 1963), and in supersession of the notification of the Government of India in the Ministry of Shipping and (Transport Wing) No. G.S.R. 710(E), dated the 26th December, 1979, the Central Government hereby specifies the number of persons mentioned in column (2) of the Table below to be appointed by the Government to represent the interests mentioned in column (1) of the said Table on the Board of Trustees of the Port of Mormugao.

TABLE

| Interests to be represented | Number of persons to be appointed |
|--|-----------------------------------|
| 1 | 2 |
| Labour employed in the Port | 2 |
| The Mercantile Marine Department | 1 |
| The Customs Department | 1 |
| The Government of Goa, Daman and Diu | 1 |
| The Defence Services | 1 |
| The Indian Railways | 1 |
| The Ministry of Shipping and Transport | 1 |
| Total | 8 |

2. This notification shall come into force on the 1st April, 1982.

[F. No. PW/PTB- /81]

Sd/-

(S. P. AMBROSE)

Additional Secretary to the Government of India.

♦♦

Finance Department (Revenue and Control)

Notification

No. Fin(RC)/2-36/37/75

In exercise of the powers conferred by section 10A of the Goa, Daman and Diu Sales Tax Act, 1964 (4 of 1964), the Government of Goa, Daman and Diu, having considered it necessary so to do in the public interest, hereby exempts the sale of handicrafts made in the exhibition-cum-sale of handicrafts held by the Madhya Pradesh Handicrafts Board at Panaji during the period from 2-12-81 to 10-12-81 from payment of the whole of tax payable under the Act subject to the condition that the said Board shall simultaneously hold demonstrations of craftsmanship of the handicrafts during the said period:

Provided that no exemption under this notification shall be available if tax is collected on sales made in the aforesaid exhibition.

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Finance).

Panaji, 15th April, 1982.

Law Department (Establishment)

Notification

No. 3-5-80/LD

Order

No. 1/1/80-LD

In exercise of the powers conferred by sub-rule (3) of rule 5 of the Goa, Daman and Diu Civil Service (Judicial Branch) Rules, 1973, the Administrator of Goa, Daman and Diu is pleased to appoint on ad-hoc basis, the following Judicial Officers to Grade I of the Goa, Daman and Diu Civil Service (Judicial Branch) with immediate effect.

1. Shri P. Sundaranajan.
2. Shri N. S. Kaissare.

By order and in the name of the Administrator of Goa, Daman and Diu.

U. D. Sharma, Law Secretary.

Panaji, 17th April, 1982.

In exercise of the powers conferred by clause (7) of section 2 of the Civil Procedure Code, 1908 (Act V of 1908) read with order 27, rule 8B of the First Schedule to the said Code, the Lieutenant Governor of Goa, Daman and Diu hereby appoints Shri V. S. Raghavendra Rao as Government Pleader with immediate effect for the purpose of conducting and defending Government interest in all the cases before the Commissioner of Labour and Employment, Revenue Courts in Panaji, Dy. Collector and Estates Officer, North Goa, Panaji and before the Appellate Authority under the Cinematography Act, 1952.

This supersedes Notification of even number dated 29-3-1982.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

R. V. Durbhatkar Under Secretary (Law).

Panaji, 6th April, 1982.